Application No. 09/461,625   Atty. Docket No. 2207/7562
Amendment dated August 23, 2005   Assignee: Intel Corporation
Reply to Final Office Action of June 23, 2005

REMARKS/ARGUMENTS

Claims 2-21, 23-31, and 33-44 are pending in the application. Reconsideration in

view the following remarks is respectfully requested. Claims 2-4, 23-25, 33-35, and 42-

44 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No.6,600,739,

to Evans et al. ("Evans"). Claims 5-21, 26-31 and 36-41 are rejected under 35 U.S.C.

103(a) as being unpatentable over Evans in view of U.S. Patent No. 5,832,494 to Wooten.

Applicants respectfully submit that nowhere does the Evans reference teach,

suggest or disclose "[a] digital system comprising: *a first hub controller adapted to*

initiate and perform a first transaction at a first time with a host controller and to initiate

and perform the first transaction at a second time with the host controller; ..."(e.g. as

described in claim 44).

For support the Office Action cites in general column 3 lines 35-45 of Evans,

asserting the section allegedly discloses a first hub controller (211 controlling hubs 207 &

209) having a device driver (within CPU 230) adapted to initiate and perform a first

transaction at a first time with a host controller (enabling USB function 215/217 to be

coupled to host controller 205 according to select signal 223). The Office Action further

states that even if the select signal 223 may be generated by host controller 223, it is the

device 211 which is adapted to initiate and perform the transaction of USB function

215/217 to be coupled to host controller 205, since it is device 211 which directly couples

USB function 215 to the rest of the system. Applicants respectfully disagree with the

Office Action's interpretation of the cited section. Column 3 lines 35-45 state:

> During operation, assume that USB host controller 205 controls USB
> functions 215 and 217. In this example, USB host controller 205 may be

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considered the primary host device and USB host controller 203 may be considered the secondary host device. *As such, USB host controller 203 generates a select signal 223 via CPU 230 to enable USB functions 215 and 217 to be coupled to USB host controller 205 through the "1" upstream ports of selection devices 211 and 213.* Therefore, USB functions 215 and 217 may communicate with one another through USB host controller 205 (*emphasis added*).

Specifically, it is clear that in the Evans reference *it is the host controller 203 that generates a signal 223* that enables USB function 215 and 217 to be coupled to USB host controller 205 (i.e., *initiating and performing*), *not* the first device 211 nor the USB hub 207 or 209. The emphasized section clearly states and indicates that the process of assuming USB control is initiated by the USB host controller. However, in the embodiment of claim 44, it is the first *hub controller* that is adapted to initiate and perform a first transaction with a host controller.

As for the Office Action's assertion that it is the device 211 which is adapted to initiate and perform the transaction of USB function 215/217 to be coupled to host controller 205 (since it is device 211 which directly couples USB function 215 to the rest of the system), Applicants assert this interpretation is unsupported and contrary to the teachings of Evans. The cited section of Evans along with an examination of Figure 2 clearly teach that it is the USB host controller, also "coupled" to the USB function 215, that initiates the USB function. Indeed, the Office action itself states that the select signal is generated by the host controller. Moreover, a standard reading of the cited section of Evans indicates that the function is initiated by the host controller. The Office Action's remaining assertions (specifically, that despite the host controller's generation of the select signal, somehow it is the device 211 that that initiates the USB function) is, as

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stated above, unsupported by the Evans reference and are therefore inadequate to form

the basis of the a proper 35 U.S.C. 102(e) rejection.

Also, Wooten fails to make up for the deficiencies of Evans. Wooten is directed

towards managing scheduled transfers, specifically a method of linking lists of scheduled

transfers. In Wooten, the host controller is primarily directed to set up lists of

transactions for the host controller to operate on during serial bus frame intervals. There

is, however, no disclosure of a first hub controller adapted to initiate and perform a first

transaction at a first time with a host controller as specifically recited in the embodiment

of claim 44.

Therefore, Applicants respectfully submit that since each and every element is not

taught, suggested or disclosed by the cited reference, the 102(e) rejection of independent

claim 44 is lacking and should be withdrawn. Dependant claims 33-41 are allowable as

they depend from allowable claim 44.

Moreover, Applicants respectfully submit that nowhere does the Evans reference

teach, suggest or disclose "[a] method for communicating data between a host and an

agent, the method comprising: *performing* a first transaction at a first time *between a host

controller and a hub, said first transaction initiated by said host controller; ...*" (e.g., as

recited in claim 42).

It is clear that the cited section Evans is meant to disclose transactions taking

place between host controller 203 and host controller 205, not a hub as recited in

Applicant's claims. Unlike the embodiment of claim 42, which describes performing a

first transaction at a first time between a host controller and a hub, the Evans reference

specifically states that *USB host controller 203* generates a select signal... to be coupled

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to host controller 205. Evans does not teach a transaction taking place between the host controller and hub. The alleged equivalents of the hub, elements 207 and 209 (as maintained by the Office action) are not mentioned anywhere in the cited section. Again, Wooten fails to disclose at least this limitation as well.

Applicants respectfully submit that each and every element is not taught, suggested or disclosed by the cited reference, and therefore the 102(e) rejection of claim 42 is lacking and should be withdrawn. Independent claims 11, 16 and 43 includes substantively similar limitations and therefore should be allowed for the same reasons. Claims 2-10, 12-15, 17-21, and 23-31 depend from allowable independent claims, and therefore should be allowed as well.
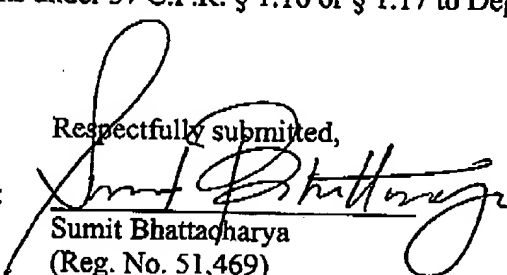
For all the above reasons, the Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application. The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 11-0600.

Respectfully submitted,

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By: Sumit Bhattacharya
(Reg. No. 51,469)
Attorneys for Intel Corporation

KENYON & KENYON
333 W. San Carlos St., Suite 600
San Jose, CA 95110
Telephone: (408) 975-7500
Facsimile: (408) 975-7501
73300.1

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